

## Message Text

SECRET

PAGE 01 MANILA 07164 01 OF 03 111113Z  
ACTION SS-25

INFO OCT-01 ISO-00 SSO-00 /026 W  
-----111114Z 011016/11

O 111015Z MAY 77  
FM AMEMBASSY MANILA  
TO SECSTATE WASHDC IMMEDIATE 9582

S E C R E T SECTION 1 OF 3 MANILA 7164

EXDIS

FOR HOLBROOKE

E.O. 11652: GDS  
TAGS: SHUM, RP  
SUBJECT: TRINIDAD HERRERA

REF: (A) STATE 106065; (B) MANILA 6931; (C) STATE 103902  
(D) MANILA 7109; (E) MANILA 18522/76; (F) MANILA 7158

1. DURING 45-MINUE MEETING MAY 11 WITH PRESIDENT MARCOS I CONVEYED REFTEL A POINTS IN FULL, ADDING THE DAVID BALONDO CASE FOR GOOD MEASURE, NOTING THAT WE HAD RECEIVED A PARTIAL REPORT (REF B) ABOUT MRS. HERRERA OVER THE WEEKEND, AN INQUIRY ON MONDAY FROM THE HIRC STAFF (REF C), AND FURTHER SUBSEQUENT REPORTS HERE. I NOTED MY RECOLLECTION OF THE ASSURANCES PRESIDENT AND MRS. MARCOS SEPARATELY HAD GIVEN HOLBROOKE AND THE LATTER'S RESPONSE. I NOTED THAT IF MRS. HERRERA WERE NOT IN FACT MISTREATED IT WOULD BE AN OPPORTUNITY TO DEMONSTRATE CONCLUSIVELY BY PRIVATE INTERVIEW WITH HER THAT THE ALLEGATIONS WERE UNFOUNDED. DURING SUBSEQUENT PRESENTATION CONCERNING THE BORADER QUESTION OF USE OF TORTURE AND SAFE HOUSES, I QUOTED WITHOUT IDENTIFICATION RELEVANT PASSAGES FROM THE AMNESTY INTERNATIONAL REPORT, AND WITH IDENTIFICATION FROM THE DEPARTMENT'S REPORT TO THE CONGRESS, ADDING THAT "WE CONTINUE TO RECEIVE REPORTS ON THE USE OF TORTURE BY

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PHILIPPINE AUTHORITIES."

2. THOUGHOUT MY RATHER LENGTHY DIRECT PRESENTATION WHICH WAS DELIVERED WITH LITTLE PREAMBLE AND NO ATTEMPT TO SOFTEN OR TRIME THE ALLEGATIONS, MARCOS LISTENED ATTENTIVELY WITHOUT INTERRUPTION. WHEN I FINISHED, MARCOS STATED THAT EVEN WITHOUT INVESTIGATION HE IS CERTAIN THE

REPORTS ABOUT THE TORTURE OF MRS HERRERA ARE FALSE. HE THEN CALLED FOR GENERAL VER (COMMANDER PRESIDENTIAL SECURITY COMMAND DG NATIONAL INTELLIGENCE SECURITY AUTHORITY), WHO APPEARED WITHIN SECONDS. VER ACKNOWLEDGED THAT MRS. HERRERA HAD BEEN ARRESTED BEFORE LABOR DAY (MAY 1) AND WAS IN THE CUSTODY OF METROCOM. MARCOS THEN INSTRUCTED VER TO CALL METROCOM COMMANDER GENERAL OLIVAS IMMEDIATELY TO ASCERTAIN THE DETAILS. MARCOS COMMENTED THAT SUCH REPORTS CONCERNING TORTURE EMANATE FROM THE POLITICAL OPPOSITION, AND HE SEEMED INCLINED TO DISMISS THEM OUT OF HAND. THEREUPON I GAVE HIM THE LETTER (REF D) FROM FORMER SENATOR RODRIGO CONCERNING THE HERRERA ALLEGATIONS WHICH HE READ AND REREAD CAREFULLY. AFTERWARD HE COMMENTED THAT HE STILL DIDN'T BELIEVE THE ALLEGATION BUT WOULD "YOU CAN BE ASSURED" CONDUCT A COMPLETE INVESTIGATION. HE NOTED THAT HE HAD RECEIVED A COPY OF PRESUMABLY THE SAME LETTER ONLY TUESDAY NIGHT AND HAD BEEN PLANNING TO READ IT TODAY, BUT "NOW WE WILL TAKE ACTION FORTHWITH." MUSING QUIETLY UNDER HIS BREATH, "DETAINED AT CAMP CRAME. THAT'S STRANGE," MARCOS REMARKED THAT IT ALSO WAS STRANGE THAT MRS. HERRERA HAD MADE HER STATEMENT ABOUT TORTURE AT THE SECOND MEETING, BUT NOT AT THE FIRST. HE SAID, "I AM SURE THAT OUR INVESTIGATION WILL REVEAL THE TRUTH. WE ARE ALWAYS CAUTIOUS ABOUT PRISONERS MAKING SUCH CLAIMS BECAUSE THEY USUALLY PROVE TO BE FALSE." VER RETURNED TO CONFIRM THAT THE PRISONER WAS INDEED IN CUSTODY, NOTHING HE HAD NOT SEEN THE LETTER AND IMPLY, HOWEVER, THAT HE ALREADY HAD REQUESTED AN INVESTIGATION. AT THIS POINT MARCOS LEFT THE ROOM TO "SEE IF MY LETTER IS THE SAME AS YOURS." VER

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VOLUNTEERED THAT LAST NIGHT HE HEARD THAT MRS. HERRERA HAD MADE A COMPLAINT AND IN RESPONSE TO MY QUESTION, NOTED VAGUELY THAT AN INVESTIGATION OF THE MATTER MAY HAVE COMMENCED EVEN YESTERDAY.

3. MARCOS RETURNED AFTER THEN MINUTES, COMMENTING THAT THE CASE LOOKS LIKE THE STANDARD FALSE ALLEGATION BY A PRISONER. HE SAID HE HAD JUST TALKED TO GENERAL OLIVAS, WHO HAS OVERALL RESPONSIBILITY, AND WHO REPORTED THAT MRS. HERRERA HAD BEEN EXAMINED MEDICALLY UPON HER ARREST, THAT SHE MAY HAVE PASSED BRIEFLY THROUGH THE MIU (MILITARY INVESTIGATION UNIT) AS

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ACTION SS-25

INFO OCT-01 ISO-00 SSO-00 /026 W  
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O 111015Z MAY 77  
FM AMEMBASSY MANILA  
TO SECSTATE WASHDC IMMEDIATE 9583

S E C R E T SECTION 2 OF 3 MANILA 7164

EXDIS

FOR HOLBROOK

ALLEGED, BUT HAD NOT BEEN HELD THERE. ALSO ACCORDING TO OLIVAS, MRS. HERRERA HAD BEEN MEDICALLY EXAMINED UPON ENTRY AT BICUTAN AND AGAIN TWO DAYS AGO. AT NO POICT, MARCOS SAID, WAS THERE ANY MENTION BY HER OF HAVING BEEN TORTURED. "THEREFORE," MARCOS SAID, "THIS IS A STRANGE CHARGE THAT MAKES ME WONDER. PERHAPS THE LAWYER AND THE CLIENT SHOULD BE ASKED AGAIN ABOUT THE FACTS, AND I HAVE ASKED THAT THE PRISONER BE MADE AVAILABLE AGAIN FOR MEDICAL EXAMINATION." HE TURNED TO VER AND SAID, " AND SEE TO IT THAT DOCTORS FROM MALACANANG ARE USED. INVITE THE RELATIVES OF MRS. HERRERA TO BE PRESENT DURING THE EXAMINATION, BRING IN EVERYBODY, AND ALSO LOOK INTO THE CASE OF BALONDO." TO ME HE REITERATED, " WE ARE USED TO THIS. PRISONERS DO IT FREQUENTLY. IN MRS. HERRERA'S CASE, WHEN ASKED TO IDENTIFY MARKS ON HER BODY, SHE DID NOT INDICATE ANYTHING."

4. MARCOS TOLD ME THAT HE IS INTERESTED IN HEARING ABOUT ANY SIMILAR CLAIMS NOW OR IN THE FUTURE AND THAT HE WAS GLAD THAT I HAD APPROACHED HIM IN THE PRESENT CASE. HE ADDED THAT HE WAS SURE THAT HIS PEOPLE COULD WITHSTAND CLOSE SCRUTINY IN THIS REGARD.

5. MARCOS THEN ASKED IF I WOULD BE INTERESTED IN HAVING SECRET

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ONE OF OUR PEOPLE PRESENT DURING THE EXAMINATION OF MRS. HERRERA. I REPLIED, " IF INVITED, YES. IT WOULD ADD A NOTE OF CREDIBILITY." MARCOS TURNED AGAIN TO VER, STANDING STIFFLY AT ATTENTION THROUGHOUT, " I WANT THIS MATTER THOROUGHLY INVESTIGATED. IF ANYONE IS GUILTY, I WANT THEM PUNISHED. IF THERE IS ANY COVER-UP, I WANT TO KNOW ABOUT IT. I WANT A REVIEW OF ALL CASES WHERE THERE HAVE

BEEN ANY CHARGES OF TORTURE, PARTICULARLY ANY RECENT CASES, AND I WANT A LISTING OF ALL SUCH CASES KEPT IN THIS OFFICE FOR MY USE IN DISCUSSING THE SUBJECT."

6. COMMENT: MARCOS SEEMED PARTICULARLY INTENT ON ESTABLISHING IF THE RODRIGO LETTER WAS OUR SOLE SOURCE. WHILE ACKNOWLEDGING THAT THE LETTER INCROPORATED MOST WHAT WE HAD HEARD, I DELIBERATELY LEFT OPEN THE POSSIBILITY THAT WE AND WASHINGTON MIGHT HAVE FURTHER AND INDEPENDENTLY Sourced INFORMATION. THE CENTRAL EXPLANATION, OFFERED BY MARCOS, THAT PRISONERS FREQUENTLY AND WITHOUT BASIS CLAIM TORTURE AS A MEANS OF DRAMATIZING THEIR ARREST OR RATIONALIZING THEIR CONFESSIONS, IS THE SAME ARGUMENT HE USED WITH CONGRESSMAN SOLARZ ON NOVEMBER 25 (REF E). THERE IS, OF COURSE, A CERTAIN GENERAL LOGIC IN MARCOS' ARGUMENT, WHICH HOWEVER COULD BE INAPPLICABLE IN THE PRESENT CASE.

7. ALL WE CAN PRESENTLY ATTEST TO IS THAT MARCOS HAS DENIED THAT THE ALLEGATIONS CONCERNING TORTURE OF MRS. HERRERA COULD BE TRUE IN PRINCIPLE. NONETHELESS, HE HAS ORDERED A FULL INVESTIGATION TO DETERMINE THE FACTS. ON THE OTHER HAND, RODRIGO ET AL HAVE PRESENTED AN APPARENTLY CONSIDERED, INTERNALLY CONSISTENT, CASE SUPPORTED BY WITNESSES. WE CANNOT, OF COURSE, ENTIRELY RULE OUT THE POSSIBILITY THAT THE ALLEGATIONS ARE FACTUALLY DISTORTED AND POLITICALLY INSPIRED TO EMBARRAS MARCOS, HOWEVER UNLIKELY THIS SEEMS GIVEN SOME OF THE PEOPLE INTERESTED AND CITIED AS WITNESSES (REFTEL).

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8. TORTURE AS A METHOD OF STATE SECURITY HAS BEEN PRACTICED IN THE PHILIPPINES FOR YEARS, OF THIS I HAVE NO DOUBT. MARCOS HAS BEEN CONSTITUTIONAL AND EXTRA-CONSTITUTIONAL PRESIDENT FOR 12 YEARS, AND I ALSO HAVE LITTLE DOUBT THAT HE HAS HERETOFORE COUNTENANCED IF NOT APPROVED SUCH PRACTICES. IN A COUNTRY WHERE MARCOS STUDIOSLY CONTROLS ALL INSTRUMENTALITIES OF COERCION AND VIOLENCE, IT IS DIFFICULT TO ACCEPT THAT SUCH A DISPLAY OF TORTURE AS IN THE INSTANT CASE COULD OCCUR AGAINST A WOMAN, IN THE CIRCUMSTANCES ALLEGED WITH THE SEEMING KNOWLEDGE OF AT LEAST TWO FIELD GRADE OFFICERS OF THE PHILIPPINE CONSTABULARY WITHOUT THERE BEING SOME CONFIDENCE AMONG THE PERPETRATORS THAT TORTURE REMAINS IN VOGUE DESPITE POSTURING UP THE LINE TO THE CONTRARY. BUT WE SHALL SUSPEND JUDGMENT AT LEAST UNTIL THE INVESTIGATION HAS BEEN COMPLETED. PERHAPS AN EMBARRASSING AFFIRMATION OF THE ALLEGATIONS WILL BE UNCOVERED IN THE INVESTIGATION, AND SOME HEADS WILL BE MADE TO ROLL. EVEN THEN IT REMAINS AN OPEN QUESTION WHETHER MARCOS WOULD TURN ON HIS OWN AND

MAKE AN EXAMPLE OF ALL THOSE RESPONSIBLE IN THE CHAIN OF  
COMMAND. NONETHELESS, THERE IS EVERY REASON FOR MARCOS

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-----11111Z 010780 /10  
O 111015Z MAY 77  
FM AMEMBASSY MANILA  
TO SECSTATE WASHDC IMMEDIATE 9584

S E C R E T SECTION 3 OF 3 MANILA 7164

EXDIS

FOR HOLBROOK

TO BE RESPONSIVE IN FOLLOWING UP ON THE INSTANT CASE IN  
TERMS OF HIS RELATIONS WITH THE UNITED STATES. WHILE  
MARCOS IS A PAST MASTER AT SUBSTITUTING RHETORIC FOR ACTION,  
I AM PREPARED TO BE SHOWN THAT HE REALLY MEANS WHAT HE  
PROMISED US TODAY.

9. AN ENCOURAGING DEVELOPMENT: PHILIPPINE CONSTABULARY  
COMMAND MAJOR GENERAL FIDEL RAMOS JUST CALLED TO SAY THAT  
PRESIDENT MARCOS HAD INSTRUCTED HIM TO CONTACT ME AND  
ARRANGE FOR AN EMBASSY REPRESENTATIVE TO VISIT MRS. HERRERA  
IN BICUTAN MORNING OF MAY 12. I ACCEPTED OFFER AND  
SUGGESTED PRIVATELY MEETING WITH MRS. HERRERA. RAMOS  
REPLIED, THAT WILL BE DONE." I TOLD RAMOS (WHO HAD JUST  
RETURNED FROM MINDANAO AND SEEMED UNFAMILIAR WITH THE  
CASE) THAT FOR OUR PART WE HAVE NO DESIRE TO GENERATE  
PUBLICITY THAT WOULD BE EMBARRASSING TO THE PHILIPPINES  
AND THAT I ALREADY HAD ALREADY HAD ENJOINED EMBASSY OFFICERS  
CONCERNED NOT REPEAT NOT TO DISCUSS CASE WITH PRESS.

10. WASHINGTON POST STRINGER BERNARD WIDEMAN CALLED  
EMBOFF THIS AFTERNOON TO ASK ABOUT EMBASSY INVOLVEMENT  
WITH THE HERRERA CASE. A HE HERRERA CASE. HE WAS PRIMARILY  
INTERESTED IN WHAT HAD SPURRED EMBOFFS TO VISIT RODRIGO THIS MORNING.

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EMBOFF REPLIED THERE OBVIOUSLY CONGRESSIONAL INTEREST  
BUTHDECLINED TO DISCUSS MATTER FURTHER. WIDEMAN INDICATED  
HE HAD HAD HARD TIME SELLING WP ON THE HERRERA STORY  
BUT THOUGHT THEY MIGHT RUN SOMETHING. (WE WOULD APPRECI-  
ATE ANY GUIDANCE ON PRESS ASPECTS THAT THE DEPARTMENT  
MAY CARE TO OFFER.)  
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## Message Attributes

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**To:** STATE  
**Type:** TE  
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